



Department of Public Safety and Correctional Services

Division of Parole and Probation

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PROACTIVE COMMUNITY SUPERVISION: OPENING WINDOWS TO EFFECTIVE INTERVENTION

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In 1666, Pope Alvey most likely became the first individual in Maryland history to be conditionally released under suspension of sentence. Mr. Alvey, a repeat offender, was convicted of stealing a cow and was sentenced to hang by the St. Mary's County Provincial Court, but the court suspended the sentence and released Alvey on the condition that he behave for the rest of his life. As community supervision agencies were unheard of at that time, it is reasonable to speculate that the community kept watch over Alvey and reported to the court if he did not behave. The challenge today is to not only re-engage the community and its resources in community supervision, but to provide effective agent intervention.

QUALITY CONTACT

Much of the current dialogue about reengineering parole and probation supervision emphasizes the redefinition of community supervision as a mechanism for rigorously enforcing court and/or parole board orders without recognizing the significant benefit that can occur from the routine *contact* with the offender. The discussion presumes that the contacts and services that comprise supervision do not form an intervention. Restricting the scope of supervision to the *enforcement* of stipulated conditions is short-sighted. It overlooks the public safety mission of supervision to manage offender behavior and reduce recidivism, and discounts the taxpayers' investment in community supervision agencies. However, viewing community supervision as the management of offender behavior opens the window for employing supervision as the vehicle for offender change.

By taking stock of the innovations in probation during the last 50 years, we repeatedly find that the cry from both scholars and practitioners is that intervention is a vital component of efforts to improve public safety (Andrews, et. al., 1990; Anglin & Hser, 1990; Lipton, 1995; MacKenzie, 1997; Taxman & Piquero, 1997). Noted criminologist Joan Petersilia in her recent review comments, "The empirical evidence regarding intermediate sanctions is decisive; without a rehabilitative component, reductions in recidivism are elusive."* Supervision is seldom considered a vital component of an intervention strategy because it is more often perceived only as the conduit to treatment (e.g., referrals, service provision, etc.), instead of a component of the intervention. However, drawing upon the work of behavioral change, the conduit facilitates important steps in the change process — namely, precontemplation, contemplation, and action orientation — that are critically important to achieving the desired behavior change goals.

* Petersilia, J. 1999. "A Decade with Experimenting with Intermediate Sanctions: What Have We Learned?," *Perspectives*, 23(1):39-44.

Supervision constitutes a critical function within the change process. It is naive to assume that a court/parole order is sufficient incentive for the offender to want to change his/her behavior and to know how to change his/her behavior. While some implicitly refer to supervision as purely monitoring and record keeping, the basic functions are similar to case management and require working with the offender in the change process. The contacts that comprise supervision can serve the vital function of identifying problem behaviors, working with the offender to reduce denial and accept responsibility, and identifying a plan of action. All are critical in facilitating the psychological processes associated with behavioral change. In the process of reengineering probation, the focus should be on working with the offender to achieve public safety goals by using the contact as a vehicle for motivating offenders in the direction of changing their behavior. The emphasis becomes offender management and necessitates that offenders become the primary focus of the community corrections operation.

MARYLAND'S PROACTIVE COMMUNITY SUPERVISION MODEL

At any given time, only about one-third of the adults under the jurisdiction of Maryland's criminal justice system are incarcerated. The other two-thirds reside in the community and are under mandatory, parole, or probation supervision. Under these circumstances, the *community* in community supervision must mean more than not incarcerated. Maryland's Proactive Community Supervision (PCS) model has been developed in order to maximize the untapped potential of community supervision. It is a comprehensive community-based approach to parole and probation supervision with three objectives:

- ✦ Protecting public safety;
- ✦ Holding offenders accountable to victims and the community; and
- ✦ Helping offenders become responsible and productive members of society.

Under PCS, agents are assigned to supervise offenders in a specific neighborhood or area. This provides agents with the opportunity to become acquainted with the people who see and interact with offenders every day — family members, friends, neighbors, local business owners, clergy. Unlike the traditional office-based system, PCS takes agents into the community to do the bulk of their work. They have more frequent face-to-face contact with the offenders under their supervision and become exceptionally knowledgeable about the offenders. This has a number of advantages. On the simplest level, if offenders know an agent is in their community on a regular basis, talking with their friends and walking down the same streets, offenders will recognize that they are under closer scrutiny with less chance to get away with a crime or a technical violation. Offenders also benefit from this approach. Agents work with them to identify and guide them to the services they need to fight addictions, gain basic job skills and education, and find a decent job. The benefit of this multi-faceted approach is to solidify the relationship between the offender and the agent in order to achieve effective intervention. Accordingly, through intensive surveillance — made possible by reducing caseloads to 50-55:1 — and rigorous enforcement of conditions, PCS will help make communities safer immediately. Through effective agent intervention, PCS will help sustain safer communities.

PCS emphasizes the agent's role as the manager of offender behavior. Like any manager, the role is to guide, facilitate and reinforce the change process. It is up to the offender to engage and pursue behavioral change. The PCS model provides the agent with the tools to manage offender behavior, particularly the skills that draw upon the most beneficial way of getting the recipient to invest in behavior change. The focus is contact with the offender. By using

effective communication and intervention skills to guide the *contact*, the agent facilitates the change process through an emphasis on getting the offender to recognize the issues, and to establish or to reinstate a strategy to change directions. The *contact* becomes the nucleus of supervision. Under the PCS model, the agent's role is to be the impetus for change as well as the vehicle for returning the offender to custody. The goal is to ensure that the agent uses effective intervention tools to achieve public safety.

Quality Contact Standards (QCS) are incorporated as part of the PCS model whereby the focus of the interaction is on four parts: 1) deportment or the manner in which the working relationship occurs between the agent and offender; 2) assessment and case planning where the focus is on using a contract to achieve behavioral goals (e.g., get a job, keep a job, etc.); 3) treatment referral to obtain needed services for offenders; and 4) sanctions and maintaining ground rules to ensure that offenders are held accountable for their behavior. QCS includes a tool to help agents and their supervisors analyze and enhance their interaction with the offender in the areas that define PCS.

PCS puts the agent in the driver's seat to manage the behavior of the offender. While community supervision is a field where the role of the agent frequently changes (almost daily), it is the agent who is responsible for working with the offender. In essence, the agent must *manage* the behavior change process with the offender. By incorporating the main tenets of effective interventions, PCS refocuses the efforts of the agent on being part of the change process.

THE EMPIRICAL EVIDENCE SUPPORTS PCS

Maryland's proactive community supervision model embraces the tenets of evidence-based interventions, but it does not dismiss the important contributions of the efforts promulgated by the "broken windows" scholars. In the work by Rhine, et al. (2000), the emphasis is on refocusing supervision into the community and using partnerships to garner support for supervision. Instead of promoting the agent as a community activist to improve the overall conditions of the community, the focus of the effort is on the agent working with the offender.

Identify Criminogenic Risk/Needs Factors. The purpose of this process is to learn more about the offender and his/her situation. In this case planning process, the agent is becoming familiar with the factors that contribute to the offender's likelihood of engaging in criminal behavior. Risk refers to prior criminal history; and needs refers to the traits and settings that may influence the offender's behavior. Maryland has several components to identify risk/needs: 1) drug testing of offenders at time of placement on supervision to identify offenders who are actively using illicit substances; 2) using the Addiction Severity Index and/or the Psychopathic Checklist Revised (PCLR) to identify need and suitability, respectively, for substance abuse treatment services; and 3) a new risk screening tool that is under development. The goal of the instrumentation is to arm the agent with actuarial information about the offender that can assist in making decisions about intervention programs. The agent is to use this information to develop a supervision plan that places the responsibility for reducing risk factors on the offender in a way that better enables him/her to manage the necessary behavioral change.

Target Interventions to High-Risk Offenders/Responsivity. The responsivity principle is that the services should match the crime-related needs of the offender and that the high-risk offender is more likely to make gains from the intervention than the lower risk offender. Furthermore, the personality traits and learning style of each offender should be taken into

consideration when assigning him/her to services, recognizing that different strategies work for different folks. More gains can be made by ensuring that high-risk offenders — offenders with greater risk/needs driving their criminal behavior — receive formal intervention services first. HotSpots, Break the Cycle, the Baltimore City Drug Treatment Court, and the Correctional Options Program all focus on the high-risk or high-needs offender by using risk/needs assessments to determine need for treatment services. The screening for these programs identifies offenders that have high risk or high needs; the agent can use these to ensure that offenders receive formal treatment services and close supervision.

Minimize Contact and Services for Low-Risk Offenders. Low-risk offenders do better with minimal formal intervention (Andrews & Bonta, 1994). Monitoring such as drug testing can be used as an external control for the low-risk offender as a means to ensure that the offender is not regressing. Other minimal services include reporting via a kiosk (a pilot is underway in Prince George's County), report status only, and telephone reporting as a means to maintain contact with the offender.

Use Cognitive Behavioral Interventions. Research repeatedly has shown that cognitive behavior intervention models are more likely to reduce recidivism than other forms of interventions (e.g., reality therapy, nondirective counseling, etc.) (Andrews & Bonta, 1994; Taxman, 1999). Cognitive behavioral interventions focus on helping the offender learn how to respond differently through a change in thinking processes. The emphasis is on the offender's change in behavior. The PCS model is grounded in cognitive behavior interventions. When using the scientific principles of Motivational Interviewing (MI), the probation contact yields greater motivational opportunities. It is through this communication with the offender that the agent uses his/her interviewing skills to empower the offender to become engaged in behavior-changing activities (e.g., recognizing a problem behavior, taking steps to address the behavior, etc.) and to monitor and learn more about the offender's participation level in the process. In this manner the agent is providing a critical function of ensuring that offenders are following through with their behavior-changing processes.

The sanctions protocol is an example of a cognitive behavior process. As part of this protocol, the offender and agent sign the sanction contract. It outlines the expectations for supervision and provides the formula for successful completion of supervision. The sanctions provide a mechanism to offer feedback to the offender. For the first positive drug test or missed appointment, the schedule calls for a verbal warning. A warning is a communication tool — it allows the sanction contract to be reviewed and the commitment discussed. It also allows the agent to begin to work with the offender on his/her drug problem by discussing different risk and need factors. The tone and manner of the communication are critically important because they demonstrate the agent's interest in helping the offender even when the offender may not be interested in helping him/herself.

Engage Social Support in Interventions. PCS recognizes that the agent is just one of the mechanisms to assist the offender in the behavior change process. The offender's social support system is a critical component of the process of change. Utilizing a team approach with other formal agencies (e.g., police, treatment providers, community organizations, etc.) can provide the offender with the tools to engage and continue on the path of change. The utilization of informal social controls such as family and/or friends is also a critical component of the change process. The agent, as part of the offender management, marshals up all of the available formal and informal support mechanisms.

CHANGING THE ORGANIZATION

To bring about these changes, the Maryland Division of Parole and Probation developed a 4-year plan which calls for hiring 244 additional agents as well as other staff; re-writing all of its policies and procedures; redefining the role of agents and supervisors; expanding the warrant apprehension unit; and establishing new relationships with criminal justice, treatment and other organizations. The plan received full funding for fiscal year 2002 from the Governor and the General Assembly. In addition, the Governor's Office of Crime Control and Prevention awarded a \$3.5 million grant to help the Division expedite the implementation of PCS.

At the moment, the most significant initiatives are hiring new agents, acquiring new computer hardware and software, and training. In collaboration with the Information Technology and Communications Division of the Department of Public Safety and Correctional Services, an electronic case management system is under development. The system will enable agents to focus their time and effort on offender management instead of administrative duties and report writing. The case management system also will provide agents with critical data on the offenders under their supervision which will enable agents to promptly determine the next and most appropriate supervision intervention (e.g., additional contact, new service, warrant request).

After consultation with a variety of supervision and behavioral experts, the Division crafted a comprehensive curriculum that incorporates the key concepts of motivational interviewing, behavior change, and progressive sanctions. All field staff in the Division are being trained on the curriculum with the goal of having all employees familiar with the key concepts of PCS (and QCS). The hands-on training approach involves role playing and modeling and rating staff and interactions. The training is based on the key principles of changing the organization and the culture of the organization. A renewed focus on the contact as the intervention point accentuates the invaluable and professional nature of the work that will be performed by Maryland's parole and probation agents in the 21st century.

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